

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FOX et al.

Appl. No.: 09/656,397

Filed: September 6, 2000

For: System, Method and Computer Program Product for Short-Range Weather Adapted, Business

**Forecasting** 

Confirmation No.: 9356

Art Unit: 3628

Examiner: Poinvil, Frantzy

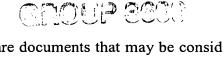
Atty. Docket: 1481.0100004/PEG/TAD

## **Supplemental Information Disclosure Statement**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

OCT 1 9 2004



Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent 10/15/2004 GWORDDF1 00000041 09656397

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application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- □ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first

cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ⊆ C. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
  - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

	□ b.	Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of							
		information in this Information Disclosure Statement was cited in a							
		communication from a foreign patent office in a counterpart foreign							
		application and, to my knowledge after making reasonable inquiry, was							
		known to any individual designated in 37 C.F.R. § 1.56(c) more than							
		three months prior to the filing of this Information Disclosure Statement.							
		37 C.F.R. § 1.97(e)(2).							
<u></u>	The do	ocument(s) was/were cited in a search report by a foreign patent office in a							
	counte	erpart foreign application. Submission of an English language version of							
	the search report that indicates the degree of relevance found by the foreign of								
	is pro	vided in satisfaction of the requirement for a concise explanation of							
	releva	nce. 1138 OG 37, 38.							
☐ 6.	A con	A concise explanation of the relevance of the non-English language document(s)							
	appear	rs below:							
⊠ 7.	Copie	s of the documents are submitted herewith.							
<b>8</b> .	Copie	s of the documents were cited by or submitted to the Office in an IDS that							
	compl	ies with 37 C.F.R. § 1.98(a)-(c) in Application No, filed							
		, which is relied upon for an earlier filing date under 35 U.S.C.							
	§ 120.	Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).							
<u> </u>	No co	ppies of U.S. patents and patent application publications cited on the							
	attach	ed Form PTO-1449 are submitted in accordance with 1276 OG 55 because							
	this ap	oplication was filed after June 30, 2003.							

10. It is expected that the examiner will review the prosecution and cited art in the parent application nos. 09/097,714 and 08/588,248 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Timothy A. Doyle Attorney for Applicants

Registration No. 51,262

Date: (3 OCT 04

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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1 3 7004						ATTY. DOCKET NO. APPLICATION NO. 1481.0100004 09/656,397				
					Fox	INVENTORS Fox et al.				
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT						FILING DATE ART UNIT September 6, 2000 3628				
	····			U.S. PA		DOCUMENTS		1		
EXAMINER INITIAL			OCUMENT NUMBER	DATE	NA NA	ME	CLASS	SUB-CLASS	FILING DATE	
	AA1		,040,629	08/1977	Ke	elly				
	AB1		5,295,064	03/1994	Ma	alec et al.				
	AC1		5,377,095	12/1994	Ma	aeda <i>et al.</i>		<u> </u>		
	AD1		5,832,456	11/1998	Fc	ox et al.		مرا المسار	300	
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	AH1									
	Al1									
EXAMINER	1		F	OREIGN	PATE	NT DOCUMENTS			· · · · · · · · · · · · · · · · · · ·	
INITIAL			DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUB-CLASS	TRANSLATION Yes	
	AJ1	-		_					No Yes	
	AK1	_	····						No Yes	
	AL1	$\perp$							No Yes	
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